UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,834	01/17/2001	Harold C. Fleischer III	P20344	4921

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ART UNIT	PAPER NUMBER
2642	

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _17 January 2001_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-23_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _4_ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 recites the limitation "the call data report". There is insufficient antecedent basis

for this limitation in the claim. The applicant may note that this limitation is not introduced in

the parent claim 1. However, this limitation is introduced in claim 2.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-2, 4-7, 9-10, 12-13, 14-16, 18 and 20 are rejected under 35 U.S.C. 103(a) as

being unpatentable over US patent 6,282,267 to Nolting in view of US patent 5,793,853 to

Sbisa[1] and further in view of US patent 5,734,705 to Schlossman et al and US patent app. US

20020090074A1 to Sbisa[2].

Regarding claim 1, Nolting discloses a "network planning traffic measurement program."

Nolting teaches the generation of call detail records (CDR) (i.e. SMDR) [see Nolting col. 5, line

5]. Nolting Fig. 2 shows the telecommunications system in which Nolting's invention operates.

The telecommunications system comprises a SCP (68) as part of a PSTN (12), which also

containing end offices (14,16,18,20) (i.e. switches).

However, Nolting does not teach <u>sampling calling data, received from the switch, at the</u>

<u>SCP; and formatting the sampled calling data as station message detail recording (SMDR) data</u>.

Nevertheless, Sbisa[1] discloses a "system and method for recording billing information

for a telecommunications service request." Referring to Sbisa[1] Figs. 1 and 2, Sbisa[1] teaches

a switch (12) sending a message to SCP (16) identifying the requested services (i.e. <u>calling data</u>),

thereafter the SCP creates a CDR (i.e. <u>SMDR</u>) [see Sbisa[1] col. 5, line 24]. Furthermore,

Schlossman et al. teaches that it CDR is merely an alternative reference to SMDR [see

Schlossman col. 1, line 10].

Therefore, it would have been obvious to modify the method taught by Nolting by

implementing the call data sampling in the SCP as taught by Sbisa[1], since such a measure

would reduce the load on switching elements, which are principally dedicated to transporting

traffic.

Regarding claim 2, see Nolting in view of Sbisa[1] and Schlossman as applied above and

further note that Sbisa[1] teaches that statistical reports (i.e. <u>call data report</u>) can be derived from

the network records or CDRs (i.e. <u>generating a call data report from the SMDR data</u>) [see

Sbisa[1] abstract and col. 2, line 27].

Regarding claims 4 and 5, see Nolting in view of Sbisa[1] and Schlossman as applied

above and further note that the PSTN discussed above in connection with Nolting is connected to

a computer network as shown in Nolting Fig. 7, where it appears as SS7 network 210. The call

data contained in CDRs is passed through the site processors (212,214,216) for eventual storage

at SS7 CDR (220) (i.e. <u>host processor</u>) and made available to users (232,234,236) (i.e. <u>customer</u>)

via OLAP server (230) [see Nolting col. 12, line 15] (i.e. <u>storing the call data report at a host</u>

processor, wherin the call data report is accessible by a customer). The site processors

(212,214,216) (i.e. front end server) compile data to form CDRs (i.e. the formatting is performed

by a front end server) for uploading to a central server (220) (i.e. host processor) [see Nolting

col. 5, line 5; col 12, line 15].

Regarding claims 6 and 7, see Nolting in view of Sbisa[1] and Schlossman as applied to

above and further note that Nolting teaches that it is known to employ SSPs in place of the SPs

(16,14,38,40,20) [see Nolting col. 10, line 40].

Regarding claim 9, see Nolting in view of Sbisa[1] and Schlossman as applied above and

further note that Nolting teaches a site processor [see Nolting Fig. 7 items 212,214,216] (i.e.

front end server) responsible for collecting a large amount of raw data (i.e. calling data)

including the time the call began (i.e. attempt data) and total elapsed time (i.e. completion data)

[see Nolting col. 13, line 35]. The site processor then assembles CDRs (i.e. SMDR data) from

this data (i.e. associating the attempt data and the completion data of the calling data to generate

consolidated SMDR data) [see Nolting col. 14, line 24].

Regarding claim 10, see Nolting in view of Sbisa[1] and Schlossman as applied above

and further note Sbisa[1] Fig. 2. This figure depicts an SCP (16) interfacing with a merge

records area (112) (i.e. front end server) [see Sbisa[1] col. 6, line 32]. The interface comprises

transmitting partial CDRs (100) from the SCP (16) to a key match process (110) (i.e. data

distributor), responsible for matching partial CDRs having the same key indentifier and sending

the matched records to the merge records area (112) via an interface (i.e. data distributor storing

and sorting the calling data, and transmitting the calling data to the front end server via an

interface).

Regarding claim 12, see Nolting in view of Sbisa[1] and Schlossman as applied above

and further note that Sbisa[1] Fig. 2 depicts a switch (i.e. service switching point) generating a

partial CDR (i.e. generating calling data for a telephone call from a customer's private facility at

the at least one service switching point).

Regarding claim 13, see Nolting in view of Sbisa[1] and Schlossman as applied above

and further note Nolting Fig. 7. This figure shows a site processor (212,214,216) (i.e front end

server) connected to a Telco WAN, or a telephone company-owned wide-area-network. The

Telco WAN taught by Nolting reads on front end server in a private network.

Regarding claims 14, 15, 16, 18 and 20 see Nolting in view of Sbisa[1] and Schlossman

as applied above.

3.   Claims 3 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nolting

in view of Sbisa[1] and Schlossman and further in view of Sbisa[2].

Regarding claim 3, while Nolting in view of Sbisa[1] and Schlossman does teach the

method of claim 1, these references do not teach storing the sampled call data at one of a data

distributor node and the SCP.

However, Sbisa[2] teaches that CDR is typically stored in the SCP [see Sbisa[2] ¶ 7].

Therefore it would have been obvious to extend the method taught by Nolting to include

storing the sampled call data at an SCP. Furthermore, it would have been obvious to store call

data in a distributor node or any other intermediary element, since such a measure would ensure

that the call data could be still be available for subsequent transfer even following an extended

period.

Regarding claim 22, see Nolting in view of Sbisa[1] and Schlossman and in further view

of Sbisa[2] as applied above.

4.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nolting in view of

Sbisa[1] and Schlossman and further in view of US patent 5,940,485 to Sapra et al.

While Nolting in view of Sbisa[1] and Schlossman teach the method of claim 7, as shown

above, these references do not teach calling data comprises a calling party ID and a called party

ID.

However, Sapra et al. discloses a telecommunications data interface capable of storing

call data records comprising caller ID logging, which reads on calling data comprises a calling

party ID and a called party ID [see Sapra et al. col. 2, line 55].

Therefore, it would have been obvious to include caller ID (as taught by Sapra et al.) in

the set of information comprising the CDR (i.e. SMDR) taught by Nolting in view of Sbisa[1]

and Schlossman, since caller ID provides a user-friendly identifier that can be checked against

ANI data, for example, to ensure consistency and prevent fraud.

5.   Claims 11, 19, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nolting in view of Sbisa[1] and Schlossman and in further view of US patent app. US

20020094070A1 to Mott et al.

Regarding claim 11, Nolting in view of Sbisa[1] and Schlossman do teach the method of claim 10 as shown above.

However, the applied references do not teach an interface comprising <u>an American Standard Code for Information Interexchange (ASCII) interface</u>.

Nevertheless, Mott et al. discloses a "telephone use-monitoring system and method." Referring to Fig. The invention of Mott et al. includes a telephone exchange (112a,112b) responsible for sending an SMDR data stream to a site server (108a) (i.e. <u>front end server</u>) via a site server port (144) (i.e. <u>interface</u>) [see Mott et al. ¶ 31]. Furthermore, Mott et al. teaches that such SMDR data streams may be constructed in an ASCII data format [see Mott et al. ¶ 30].

Therefore, it would have been obvious to make the interface of claim 10 (and taught by Nolting in view of Sbisa[1] and Schlossman) an ASCII interface as taught by Mott et al., since such an interface is widely accepted, and hence would promote interoperability of network elements.

Regarding claim 19, see Nolting in view of Sbisa[1] and Schlossman and in further view of Mott et al. as applied above and further note that the method of Mott et al. comprises the use of a site server compiler (Fig. 2 item 120a). The site server 108a (i.e. <u>front end server</u>) discussed above sits between the telephone exchange (i.e. <u>SSP</u>) (112a) and the site server compiler (120a) (i.e. <u>host central processing unit</u>). The site server compiler receives SMDR data and from the telephone exchange and converts it to a universal database format according to "knowledge of the communication format and protocol of the telephone exchange" (i.e. <u>calling report generated from the SMDR formatted is customized according to instructions received by said host central processing unit</u>) [see Mott et al. ¶ 31-32].

Regarding claims 21 and 23, see Nolting in view of Sbisa[1] and Schlossman and in

further view of Mott et al. as applied above.

6.   Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nolting in view

of Sbisa[1] and Schlossman and in further view of US patent 5,333,183 to Herbert. Nolting in

view of Sbisa[1] and Schlossman do teach the method of claim 16.

However, these references do not teach the network of the customer comprises at least

one of a centrex system and a PBX system.

Nevertheless, Herbert teaches a "universal MDR data record collection and reporting

system". The system of Herbert collects MDR (i.e. SMDR) of various formats from PBX and

telephone company centrex switches.

Therfore, it would have been obvious to enable the method taught by Nolting in view of

Sbisa[1] and Schlossman to support a customer network based on a PBX or centrex, since they

are examples of common architectures.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

        a. Brockman et al. US patent 5,592,530 discloses "telephone switch dual monitors". The

disclosure discusses generation of call detail records (CDR).

        b. Breuer US patent 6,222,912 discloses a "method and system for billing toll-free calls

from public telephones". This disclosure also discusses generation of CDRs.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sadiki Mwanyoha whose telephone number is 703-305-3417.

The examiner can normally be reached on 8:30-5:00 M-F.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar can be reached on 703-305-4731. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9314 for regular

communications and 703-872-9314 for After Final communications.

        Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-4750.

spm
August 7, 2003

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